PTO/ SB/26 (05-03) Approved for use through 4/30/2003. OMB 0831-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
and to a collection of information unface it displays a valid OMB control number.

Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unit

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional) 001701.00241

In re Application of: Tamlo IKEHASHI et al.

Application No. 10/685,019

Filed: September 22, 2003

For: Read Circuit of Nonvolatile Semiconductor Memory

The owner Kabushiki Kalaha Toshiba of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, 33 presently shortened by any terminal disclaimer, of prior Patent No. 6.674.668. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grammed on the distant approximation area of entorcease unity to and during even period that it and the pion petent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or sasigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later, expires for failure to pay a maintenance fee, is haid unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check	either	box 1	of 2	below,	ď	appropriate.
-------	--------	-------	------	--------	---	--------------

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. 1.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title willful false statements are because the unlitted of the conficultion or any 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney of record.

09/22/2004 GSTURLEY 66

01 FU:1894

01 FC:1814

8/25/04 Date

Signature

Gary D. Fedorochko for Joseph M. Potenza, Reg. No. 28,175

Typed or printed name

202-824-3000

Telephone Number

☐ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

 $g_{
m dist}$ \*Certification under 37 CFR 3.73(b) is required if terminal discisimer is signed by the assignee (owner).

Adjustment date: 09/7 // Continuation under 37 CFR 3.73(b) is required if terminal disclaimer is signed to 09/22/2004 SCIANLEY 000500 Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to (and the complete to complete the torm of the USPTO. Time will very take 12 minutes to complete, including gathering, preparing, and submitting the complete the form and/or suggestions for reducing depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing depending upon the individual case. Any comments on the smount of time you require to complete this form and/or suggestions for reducing depending upon the individual case. Any comments on the smount of time you require to complete this form and/or suggestions for reducing depending upon the individual case. Any comments on the smount of time you require to complete this form and/or suggestions for reducing depending upon the individual case. Any comments on the smount of time you require to complete this form and/or suggestions for reducing depending upon the individual case. Any comments on the suggestion of the complete the complete

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.